

08.13.01

Box / Sequence A

NON-PROVISIONAL
UTILITY PATENT APPLICATION
TRANSMITTAL - 37 CFR 1.53(b)

☐ Duplicate
(check, if applicable)

08/09/01
JC093 U.S. PTO

J1046 U.S. PTO
09/927811
08/09/01

Assistant Commissioner for Patents
BOX PATENT APPLICATION
Washington, DC 20231

Attorney Docket No. 029474-5006
First Named Inventor: Ivano Romano
Express Mail Label No. EL 719362796 US
Total Pages of Transmittal Form: 2

Transmitted herewith for filing is the non-provisional utility patent application entitled:

HEAT-INDUCTIBLE PROMOTER

which is:

an ☐ Original; or

a ☒ Continuation, ☐ Divisional, or ☐ Continuation-in-part (CIP)

of prior Application No. PCT/EP00/01144 filed February 11, 2000.

Anticipated Group/Art Unit: _____ or Class _____, Subclass _____.

☒ This non-provisional patent application is based on Swiss Provisional Patent Application
No. 1990 279/99, filed February 11, 1999.

Enclosed are:

- ☒ Specification (including Abstract) and claims: 43 pages + 2 pp of substitute sheet claims.
- ☐ Application Data Sheet.
- ☒ Newly unexecuted Declaration (original/copy).
- ☐ Copy of Declaration from prior application.
- ☐ Separate Power of Attorney (including 37 CFR 3.73(b) statement, if applicable).
- ☒ 13 sheets of drawings (formal) plus one copy.
- ☐ Microfiche computer program (Appendix).
- ☒ Nucleotide and/or Amino Acid Sequence Submission, including:
 - ☒ Computer readable copy ☒ Paper Copy ☒ Verified Statement.
- ☐ Under PTO-1595 Cover Sheet, an assignment of the invention
- ☒ Name of Assignee: Rhein Biotech Gesellschaft für Neue Biotechnologische, Prozesse und Produkte GmbH.
- ☐ Certified copy(ies) of _____ Application No(s). _____ filed _____ is/are filed:
 - ☐ herewith or ☐ in prior application &@.
- ☐ Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as ☐ an Independent Inventor, or ☐ a Small Business Concern, or ☐ a Non-Profit Organization.
- ☐ Preliminary Amendment.
- ☒ Information Disclosure Statement, PTO-1449, and cited references.
- ☐ Request for Nonpublication of Application Under 35 U.S.C. §122(b)
- ☒ Other: International Search Report

The filing fee is calculated as follows:

			SMALL ENTITY			LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC FEE:			BASIC FEE:	
			\$355			\$ 710.00	
Total	29-20 =	9	X 9	\$	OR	9X18	\$ 162.00
Independent	1 - 3=	0	X40	\$	OR	X80	\$
[10] Multiple Dependent Claims Present			\$135	\$	OR	\$270	\$ 2,700.00
			TOTAL	\$	OR	TOTAL	\$ 3,572.00

- [] The Commissioner is not authorized to charge the filing fee at this time as we elect to defer payment of the entire filing fee until receipt of a Notice to File Missing Parts.
- [X] A check in the amount of \$3,572.00 to cover the filing fee is enclosed.
- [X] The Commissioner is hereby authorized to charge and/or credit **Deposit Account No. 50-0310** as noted below. A duplicate copy of this sheet is enclosed.
- [X] Any overpayments or deficiencies in the above-calculated fee.
- [] Filing fee in the amount of \$_____ as calculated above.
- [X] Any additional fees required under 37 C.F.R. § 1.16 and § 1.17.
- [X] In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

CORRESPONDENCE ADDRESS:

August 10, 2001
Date

By:

Kathryn Doyle
KATHRYN DOYLE, Ph.D, J.D.
Registration No. 36,317
MORGAN, LEWIS & BOCKIUS, LLP
1701 Market Street
Philadelphia, PA 19103-2921
Telephone: (215) 963-5000
Direct Dial: (215) 963-4723
Facsimile: (215) 963-5299
E-Mail: kdoyle@morganlewis.com
Attorney for Applicants

[X] Customer Number or Bar Code Label: **028977**

KD/ars
Enclosures